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EXAMINER	
JOO, JOSHUA	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/084,174	JIANG ET AL.	
	Examiner	Art Unit	
	JOSHUA JOO	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 March 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10,12-17 and 19-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10,12-17 and 19-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *25 April 2002* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Detailed Action

1. This Office action is in response to communication dated 03/25/2008.

Claims 1-10, 12-17, 19-22 are presented for examination.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/25/2008 has been entered.

Response to Arguments

3. Applicant's arguments with respect to claims 1-10, 12-17, 19-22 have been considered but are moot in view of the new ground(s) of rejection. New ground(s) of rejection are necessitated by Applicant's amendment.

Claim Objections

4. Claims 4-9, 12-17, 20-22 are objected to because of the following informalities:

i) Regarding claims 4 and 12, "the accessed parameter group" should be changed to "the stored parameter group" or "the stored parameter group accessed" to clearly refer back to the access of "a stored parameter group".

Appropriate correction is required.

Drawings

5. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the feature of "a token including a plurality of bits, each bit associated with a different parameter group type" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

7. Claims 1-10, 12-17, 19-22 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in

the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

8. Regarding claims 1 and 19, the feature of "without sending the parameters for the associated one of the parameter group types to the access terminal" when the access terminal operates according to the default parameter group does not appear to be supported by Applicant's specification. Applicant's specification discloses of,

> "The access network examines the token, and will send information to and receive information from the access terminal (i.e., communicate) according to the default parameter group without negotiating a parameter group when the portion of the access terminal operates according to the default parameter group for that parameter group type and the bit in the token associated with the parameter group type indicates that the access terminal operates according to the default parameter group." (page 2, lines 13-19)
>
> "Specifically, the access network 10 examines the token, and will send information to and receive information from the access terminal (i.e., communicate with the access terminal) according to the predetermined default parameter group of a parameter group type without negotiating a parameter group of the parameter group type when the portion of the access network 10 communicating with the access terminal 12 operates according to the default parameter group for that parameter group type and the bit in the token associated with the parameter group type indicates that the access terminal 12 operates according to the default parameter group. (page 4, lines 14-21)

9. The specification discloses of without negotiating a parameter group when the portion of the access terminal operates according to the default parameter group for the parameter group type. However, the specification does not specifically describe of "without sending the parameters for the associated one of the parameter group types to the access terminal" when the access terminal operates according to the default parameter group as recited in claims 1 and 19.

10. Regarding claim 12, the feature of "without sending the parameters for the associated one of the parameter group types to the access terminal" when the access terminal is not operating according to the default parameter group and when a portion of the access network communicating with the access terminal operates according to the access parameter group does not appear to be supported by Applicant's specification. Applicant's specification discloses of,

> If the portion of the access network 10 sending information to and receiving information from the access terminal 12 also operates according to a non-default parameter group, the access network 10 determines if the stored parameter group of the parameter group type for the access terminal 12 is the same as the non-default parameter group by which the portion of the access network 10 communicating with access terminal 12 operates. If so, then the access network 10 communicates with the access terminal 12 according to the stored parameter group without having to negotiate a parameter group of the parameter group type. (page 5, lines 5-13).

11. The specification describes of without negotiating a parameter group when access terminal does not operate according to default parameter group and when a portion of the network operates according to a stored parameter group. However, the specification does not specifically describe of "without sending the parameters for the associated one of the parameter group types to the access terminal" when the access terminal does not operate according to the default parameter group and when a portion of the access network communicating with the access terminal operates according to the access parameter group as recited in claims 12.

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

13. Claims 1-3 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oyama et al. US Publication #2002/0114305 (Oyama hereinafter), in view of Rasanen, US Publication #2005/0286418 (Rasanen hereinafter).

14. As per claims 1 and 19, Oyama teaches substantially the invention as claimed including a method for configuring negotiation in a data communication system comprising:

storing parameter groups of parameter group types previously established between an access network and an access terminal (Paragraph 0043; 0070. Preset/pre-established QoS characteristics.);

receiving, at an access network, an access request and a token from an access terminal, the token including at least one bit associated with a parameter group type, the at least one bit indicating whether the access terminal is operating according to a default parameter group for the associated parameter group type (Paragraphs 0043; 0068; 0085. Mobile terminal initiates by the mobile terminal. A message is sent with a QoS indicator or flag set to establish a connection using a pre-established QoS profile. Paragraphs 0044; 0077. Pre-established QoS profile includes delay and error rate.);

sending information to and receiving information from the access terminal according to the default parameter group without negotiating parameters for the associated parameter group type and without sending the parameters for the associated parameter group type to the access terminal when a portion of the access network communicating with the access terminal operates according to the default parameter group for the associated parameter group type and the request indicates the access terminal operates according to the default parameter group for the associated parameter group type (Paragraph 0070. There is no need for QoS characteristics to be negotiated or configured. QoS profile already configured in nodes. Claims 1-2. Initiate session using the bearer configured with QoS profile.).

15. Oyama also does not specifically teach of the token including a token including a plurality of bits, each bit associated with a different parameter group type.

16. Rasanen teaches a similar system comprising of transmitting a message comprising an element that indicates services and protocol, wherein a bit (0 or 1) is used for indication of a parameter (Paragraph 0053).

17. Oyama teaches of a plurality of QoS parameters associated with a QoS profile and teaches of the mobile node specifying settings varying from the pre-established QoS profile (Paragraph 0103). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the

teachings for the message to indicate QoS as taught by Oyama by including a bit associated with a parameter as taught by the Rasanen for the plurality of QoS parameters, which would enable Oyama's system to establish a session with specific pre-established QoS parameters.

18. As per claim 2, Oyama teaches the method of claim 1, wherein a parameter group type is a type of protocol, and a parameter group in the parameter group type is a specific protocol in the parameter group type (Paragraph 0077. QoS service. Delay, error rate, priority.).

19. As per claim 3, Oyama teaches the method of claim 1, further comprising: sending information to and receiving information from the access terminal after negotiating a parameter group for the associated parameter group type when (i) the portion of the access network communicating with the access terminal operates according to a parameter group other than the default parameter group for the associated parameter group type and the bit indicates the access terminal operates according to the default parameter group for the associated parameter group type, or (ii) the portion of the access network communicating with the access terminal operates according to the default parameter group for the associated parameter group type and the bit indicates the access terminal operates according to a parameter group other than the default parameter group for the parameter group type (Paragraph 0103. If the QoS indicator is not set, a bearer may be set up with different quality of service if subscriber is willing to accept lower QoS.).

20. Claims 4 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oyama and Rasanen, in view of Immonen et al, US Publication #2002/0132611 (Immonen hereinafter).

21. As per claim 4, Oyama teaches the method of claim 1, further comprising: first accessing memory at the access network when the bit indicates the access terminal is not operating according to the default parameter group to obtain a stored parameter group of the associated parameter group type for the access

terminal (Paragraph 0103. If QoS indicator is not set, this may indicate set up of different quality of service. Paragraph 0044. Establish bearer with other QoS class/profile.). Oyama does not specifically teach the method of sending information to and receiving information from the access terminal according to the accessed parameter group of the associated parameter group type for the access terminal without negotiating a parameter group of the associated parameter group type when a portion of the access network communicating with the access terminal operates according the accessed parameter group for the associated parameter group type.

22. Immonen teaches of sending information to and receiving information from a mobile node without negotiating a parameter group type to the access terminal when a portion of the access network communicating with the access terminal operates according the accessed parameter group for the associated parameter group type (Paragraph 0056. Request specific QoS profile. Paragraph 0057-0058. If the QoS profile is acceptable, establish connection using the requested QoS profile. Paragraph 0061. No negotiation for priority in received profile.).

23. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to send information to and receiving information from a mobile node without negotiating a parameter group type to the access terminal when a portion of the access network communicating with the access terminal operates according the accessed parameter group for the associated parameter group type. The motivation for the suggested combination is that Immonen's teachings would improve Oyama's system by enabling the set up of a connection with different QoS while reducing communication between nodes.

24. As per claim 7, Oyama teaches of a bit indicating that the access terminal is not operating according to the default parameter group. Oyama does not specifically teach the method of claim 4, further comprising: second accessing memory at another access network to obtain a stored parameter

group of the associated parameter group type for the access terminal when the first accessing step fails to access a stored parameter group of the associated parameter group type for the access terminal.

25. Immonen further teaches the method of second accessing memory at another access network to obtain a stored parameter group of the associated parameter group type for the access terminal when the first accessing step fails to access a stored parameter group of the associated parameter group type for the access terminal and the request indicates the access terminal is not operating according to a default parameter group (Paragraph 0048. Obtain subscriber specific profile from the HLR if not available at the SGNS).

26. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for second accessing memory at another access network to obtain a stored parameter group of the associated parameter group type for the access terminal when the first accessing step fails to access a stored parameter group of the associated parameter group type for the access terminal and the request indicates the access terminal is not operating according to a default parameter group. The motivation for the suggested combination is that Immonen's teachings would improve the suggested system by allowing a node to access subscribed values of a QoS.

27. Claims 5-6, 8-9, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oyama, Rasanen, and Immonen, in view of Balazinski et al. US Publication #2002/0097707 (Balazinski hereinafter).

28. As per claim 5, Oyama does not specifically teach the method of claim 4, further comprising sending information to and receiving information from the access terminal after negotiating a parameter group of the associated parameter group type when the portion of the access network communicating with the access terminal operates according to a parameter group of the associated parameter group type which

is different from the stored parameter group of the associated parameter group type for the access terminal.

29. Balazinski teaches of a system for a mobile station to indicate a pre-negotiated profile comprising of: sending information to and receiving information from the access terminal after negotiating a parameter group of the associated parameter group type when the portion of the access network communicating with the access terminal operates according to a parameter group of the associated parameter group type which is different from the stored parameter group of the associated parameter group type for the access terminal (Paragraph 0035. If pre-stored user profile is not supported, perform negotiations. Paragraph 0039. If the node can derive a similar profile, indicate that a parameter is not acceptable.).

30. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to send information to and receiving information from the access terminal after negotiating a parameter group of the associated parameter group type when the portion of the access network communicating with the access terminal operates according to a parameter group of the associated parameter group type which is different from the stored parameter group of the associated parameter group type for the access terminal. The motivation for the suggested combination is that Balazinski's would improve the suggested system by allowing the mobile node and the access network to determine acceptable parameters to establish a connection.

31. As per claim 6, Oyama and Immonen teach the method of claim 4, further comprising: sending information to and receiving information from the access terminal after negotiating a parameter group of the associated parameter group type (Paragraph 0086. Negotiated profile. Paragraph 0130. Accept quality of service.). Oyama does not specifically teach of negotiating when the first accessing step fails to access a stored parameter group of the associated parameter group type for the access terminal.

32. Balazinski teaches of a system comprising of a mobile station indicating a pre-negotiated profile, wherein parameters are negotiated when a service node fails to access a stored parameter group of the associated parameter group type for the access terminal (Paragraphs 0035. Step 206 is full negotiation process. Paragraph 0038. Determine that the node does not have a pre-stored user profile and move to step 206.).

33. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to negotiate parameters when a service node fails to access a stored parameter group of the associated parameter group type for the access terminal. The motivation for the suggested combination is that Balazinski's would improve the suggested system by allowing the mobile node and the access network to determine acceptable parameters to establish a connection.

34. As per claim 8, Oyama and Immonen teach of the method of claim 7, further comprising: sending information to and receiving information from the access terminal after negotiating a parameter group of the associated parameter group type and attempting first and second accessing (Paragraph 0086. Negotiated profile. Paragraph 0130. Accept quality of service.). Oyama and Immonen do not specifically teach of when the first and second accessing steps fail to access a stored parameter group of the associated parameter group type for the access terminal.

35. Balazinski teaches a system comprising of a mobile station indicating a pre-negotiated profile, wherein parameters are negotiated when a service node fails to access a stored parameter group of the associated parameter group type for the access terminal (Paragraphs 0035; 0038).

36. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to negotiate parameters when a service node fails to access a stored parameter group of the associated parameter group type for the access terminal as taught by Balazinski during the first and second accessing as taught by suggested system. The motivation for the suggested combination

is that Balazinski's would improve the suggested system by allowing the mobile node and access network to determine acceptable parameters to establish a connection.

37. As per claims 9 and 20, Oyama does not explicitly teach the method of claims 6 and 8, further comprising sending the access terminal a new token indicating a current parameter group of each parameter group type after negotiations are complete.

38. Balazinski teaches of sending the access terminal a new token indicating a current parameter group of each parameter group type after negotiations are complete (Paragraph 0010-0011. Send message comprising of parameters.).

39. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to send the access terminal a new token indicating a current parameter group of each parameter group type after negotiations are complete. The motivation for the suggested combination is that Balazinski's would improve the suggested system by allowing the mobile node and access network to determine acceptable parameters to establish a connection.

40. Claim 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oyama and Rasanen, in view of Balazinski.

41. As per claim 10, Oyama does not explicitly teach the method of claim 3, further comprising sending the access terminal a new token indicating a current parameter group of each parameter group type after negotiations are complete.

42. Balazinski teaches of sending the access terminal a new token indicating a current parameter group of each parameter group type after negotiations are complete (Paragraph 0010-0011. Send message comprising of parameters.).

43. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to send the access terminal a new token indicating a current parameter group of each parameter group type after negotiations are complete. The motivation for the suggested combination is that Balazinski's would improve the suggested system by allowing the mobile node and access network to determine acceptable parameters to establish a connection.

44. Claims 12 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oyama, in view of Immonen and Rasanen.

45. As per claim 12, Oyama teaches substantially the invention as claimed including a method for configuration negotiation in a data communication system, comprising:

receiving, at an access network, an access request and a token from an access terminal, the token indicating at least one bit associated with a parameter group type, the at least one bit indicating whether the access terminal is operating according to a default parameter group for the associated parameter group type (Paragraphs 0043; 0068; 0085. Mobile terminal initiates by the mobile terminal. A message is sent with a QoS indicator or flag set to establish a connection using a pre-established QoS profile. Paragraphs 0044; 0077. Pre-established QoS profile includes delay and error rate.);

first accessing memory at the access network when the bit indicates the access terminal is not operating according to the default parameter group type to obtain a stored parameter group of the associated parameter group type for the access terminal (Paragraph 0103. If QoS indicator is not set, this may indicate set up of different quality of service. Paragraph 0044. Establish bearer with other QoS class/profile.); and

sending information to and receiving information from the access terminal according to the accessed parameter group of the associated parameter group type for the access when a portion of the access network communicating with the access terminal operates according the accessed parameter group

for the associated parameter group type (Paragraph 0103. Set up a signaling bearer with different QoS or inactive QoS.).

46. Oyama teaches of without sending the parameters for the associated parameter group type to the access terminal when the access terminal is operating according to a default parameter group type when the access terminal is operating according to a default parameter group type. Oyama does not specifically teach of without negotiating a parameter group of the associated parameter group type and without sending the parameters for the associated parameter group type to the access terminal when the access terminal is not operating according to a default parameter group type. Oyama also does not specifically teach of using a token including a plurality of bits, each bit associated with a different parameter group type.

47. Immonen teaches of sending information to and receiving information from a mobile node without negotiating a parameter group of the associated parameter group type and without sending the parameters for the associated parameter group type to the access terminal when the access terminal is not operating according to a default parameter group type (Paragraph 0056. Request specific QoS profile. Paragraph 0057-0058. If the QoS profile is acceptable, establish connection using the requested QoS profile.).

48. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to send information to and receiving information from a mobile node without negotiating a parameter group of the associated parameter group type and without sending the parameters for the associated parameter group type to the access terminal when the access terminal is not operating according to a default parameter group type. The motivation for the suggested combination is that Immonen's teachings would improve Oyama's system by enabling the set up of a connection with different QoS while reducing communication between nodes.

49. Rasanen teaches a similar system comprising of transmitting a message comprising an element that indicates services and protocol, wherein a bit (0 or 1) is used for indication of a parameter (Paragraph 0053).

50. Oyama and Immonen teach of a plurality of QoS parameters associated with a QoS service and teach of the mobile node specifying settings varying from the pre-established QoS profile (Paragraph 0103). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the message to indicate QoS as taught by Oyama by including a bit associated with a parameter as taught by the Rasanen for the plurality of QoS parameters, which would enable the suggested system to establish a session with specific pre-established QoS parameters.

51. As per claim 15, Oyama teaches the method of claim 12, further comprising of the at least one bit indicating that the access terminal is not operating according to the default parameter group (Paragraphs 0085; 0103. The QoS indicator or flag is not set.). Oyama does not specifically teach of second accessing memory at another access network to obtain a stored parameter group of the associated parameter group type for the access terminal when the first accessing step fails to access a stored parameter group of the associated parameter group type for the access terminal.

52. Immonen further teaches the method of second accessing memory at another access network to obtain a stored parameter group of the associated parameter group type for the access terminal when the first accessing step fails to access a stored parameter group of the associated parameter group type for the access terminal and the request indicates the access terminal is not operating according to a default parameter group (Paragraph 0048. Obtain subscriber specific profile from the HLR if not available at the SGNS).

53. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for second accessing memory at another access network to obtain a stored

parameter group of the associated parameter group type for the access terminal when the first accessing step fails to access a stored parameter group of the associated parameter group type for the access terminal and the request indicates the access terminal is not operating according to a default parameter group. The motivation for the suggested combination is that Immonen's teachings would improve the suggested system by allowing a node to access subscribed values of a QoS.

54. Claims 13-14, 16-17, 21, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oyama, Immonen, and Rasanen, in view of Balazinski.

55. As per claim 13, Oyama does not specifically teach the method of claim 12, further comprising sending information to and receiving information from the access terminal after negotiating a parameter group of the associated parameter group type when the portion of the access network communicating with the access terminal operates according to a parameter group of the associated parameter group type which is different from the stored parameter group of the associated parameter group type for the access terminal.

56. Balazinski teaches of a system for a mobile station to indicate a pre-negotiated profile comprising of: sending information to and receiving information from the access terminal after negotiating a parameter group of the associated parameter group type when the portion of the access network communicating with the access terminal operates according to a parameter group of the associated parameter group type which is different from the stored parameter group of the associated parameter group type for the access terminal (Paragraph 0035. If pre-stored user profile is not supported, perform negotiations. Paragraph 0039. If the node can derive a similar profile, indicate that a parameter is not acceptable.).

57. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to send information to and receiving information from the access terminal after negotiating a parameter group of the associated parameter group type when the portion of the access network communicating with the access terminal operates according to a parameter group of the associated parameter group type which is different from the stored parameter group of the associated parameter group type for the access terminal. The motivation for the suggested combination is that Balazinski's would improve the suggested system by allowing the mobile node and the access network to determine acceptable parameters to establish a connection.

58. As per claim 14, Oyama and Immonen teach the method of claim 12, further comprising: sending information to and receiving information from the access terminal after negotiating a parameter group of the associated parameter group type (Paragraph 0086. Negotiated profile. Paragraph 0130. Accept quality of service.). Oyama does not specifically teach of negotiating when the first accessing step fails to access a stored parameter group of the associated parameter group type for the access terminal.

59. Balazinski teaches of a system comprising of a mobile station indicating a pre-negotiated profile, wherein parameters are negotiated when a service node fails to access a stored parameter group of the associated parameter group type for the access terminal (Paragraphs 0035. Step 206 is full negotiation process. Paragraph 0038. Determine that the node does not have a pre-stored user profile and move to step 206.).

60. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to negotiate parameters when a service node fails to access a stored parameter group of the associated parameter group type for the access terminal. The motivation for the suggested combination is that Balazinski's would improve the suggested system by allowing the mobile node and the access network to determine acceptable parameters to establish a connection.

61. As per claim 16, Oyama and Immonen taught the method of claim 15, further comprising: sending information to and receiving information from the access terminal after negotiating a parameter group of the associated parameter group type and attempting first and second accessing (Paragraph 0086. Negotiated profile. Paragraph 0130. Accept quality of service.). Oyama and Immonen do not specifically teach of when the first and second accessing steps fail to access a stored parameter group of the associated parameter group type for the access terminal.

62. Balazinski teaches a system comprising of a mobile station indicating a pre-negotiated profile, wherein parameters are negotiated when a service node fails to access a stored parameter group of the associated parameter group type for the access terminal (Paragraphs 0035; 0038).

63. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to negotiate parameters when a service node fails to access a stored parameter group of the associated parameter group type for the access terminal as taught by Balazinski during the first and second accessing as taught by suggested system. The motivation for the suggested combination is that Balazinski's would improve the suggested system by allowing the mobile node and access network to determine acceptable parameters to establish a connection.

64. As per claims 17, 21, and 22, Oyama does not explicitly teach the method of claims 13, 14, and 16 further comprising sending the access terminal a new token indicating a current parameter group of each parameter group type after negotiations are complete.

65. Balazinski teaches of sending the access terminal a new token indicating a current parameter group of each parameter group type after negotiations are complete (Paragraph 0010-0011. Send message comprising of parameters.).

66. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to send the access terminal a new token indicating a current parameter group of each parameter group type after negotiations are complete. The motivation for the suggested combination is that Balazinski's would improve the suggested system by allowing the mobile node and access network to determine acceptable parameters to establish a connection.

Conclusion

67. A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.

68. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua Joo whose telephone number is 571 272-3966. The examiner can normally be reached on Monday to Thursday 8AM to 5PM and every other Friday.

69. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Flynn can be reached on 571 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

70. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/J. J./
Examiner, Art Unit 2154

/Nathan J. Flynn/
Supervisory Patent Examiner, Art Unit 2154